

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.18115 Practice of statutorily regulated profession or occupation not limited; definition; applicability of part; use of word "counselor."

Sec. 18115. (1) This article does not limit an individual in, nor prevent an individual from, the practice of a statutorily regulated profession or occupation if counseling is part of the services provided by that profession or occupation, and the individual does not hold himself or herself out as a counselor regulated under this article. As used in this subsection, "statutorily regulated profession or occupation" includes, but is not limited to, all of the following: a physician, attorney, marriage and family therapist, debt management counselor, social worker, social services technician, licensed psychologist, limited licensed psychologist, temporary limited licensed psychologist, or school counselor.

(2) This part does not apply to any of the following:

(a) An ordained member of the clergy if counseling is incidental to his or her religious duties performed under the auspices or recognition of a church, denomination, religious association, or sect, that has tax exempt status pursuant to section 501(c)(3) of the internal revenue code of 1986, 26 USC 501, if the member of the clergy does not hold himself or herself out as a counselor licensed under this article.

(b) An individual who performs volunteer services for a public or private nonprofit organization, church, or charity, if the individual is approved by the organization or agency for which the services are rendered.

(c) An individual who is employed by or who volunteers to work in a program licensed by the office of substance abuse services.

(d) A member of any other profession whose practice may include counseling principles, methods, or procedures from practicing his or her profession as long as he or she is trained in that profession and does not hold himself or herself out as a counselor providing counseling. As used in this subdivision, "profession" includes, but is not limited to, the fields of human resources development and organizational development.

(3) Notwithstanding section 18105(3), this part does not prohibit the use of the word "counselor" without the qualifying words "licensed" or "professional" used in conjunction with the word "counselor", except as otherwise provided by law.

History: Add. 1988, Act 421, Eff. Mar. 30, 1989;—Am. 2006, Act 429, Imd. Eff. Oct. 5, 2006.

Popular name: Act 368